

**RULES OF ORDER OF THE  
HEALTHY NEIGHBORHOODS LEADERSHIP COMMITTEE  
OF THE CITY OF SAN JOSE**

**ARTICLE I  
THE COMMITTEE**

**Section 100. Name of the Committee.**

The official body referred to in these Rules of Order shall be known and referred to as the "Healthy Neighborhoods Leadership Committee" or, in the alternative, the "Committee."

**Section 101. Purpose and Function of the Committee.**

The purpose of the Committee shall be to set policy direction, facilitate interagency collaboration, evaluate emerging trends and assist in advancing the goals of the Healthy Neighborhoods Strategic Work Plan.

The Committee shall promote collaboration with other entities having similar interests in improving the well-being of the San Jose community.

The Committee shall make recommendations for the disbursement of Healthy Neighborhoods Venture Fund grants.

**Section 102. Office of the Committee.**

The official office and mailing address of the Committee shall be:

Healthy Neighborhoods Leadership Committee  
City Hall, Ninth Floor  
200 East Santa Clara Street  
San José, CA 95113

**Section 103. Meeting Place of the Committee.**

Except as otherwise may be provided by the Committee from time to time, the regular meeting place of the Committee shall be in the San José City Hall located at 200 East Santa Clara Street, San José, California.

**Section 104. Number of Members.**

The Committee shall consist of seven (7) members to be appointed as follows and in accordance with Section 107:

Seat One and Two: Two (2) San Jose Council Members to be appointed by the Mayor of San Jose;

Seat Three and Four: Two (2) members at-large to be appointed by the City Council; and

Seats Five through Seven: Three (3) members from partner organizations to be appointed by the City Council.

**Section 105. Definitions of Members.**

A. San Jose Council Member: Elected City of San Jose Council Member.

B. Member At-Large: Community member with no affiliation to an organization.

C. Member from Partner Organization: A representative from a partner organization that similarly promotes healthy communities, such as but not limited to funding institutions, public benefit or governmental institutions.

**Section 106. Conflict of Interest.**

Members at-large or representatives from partner organizations may not individually have any official or financial relationship with organizations receiving or intending to receive HNVF grant awards.

**Section 107. Terms of Office.**

A. The term of Committee Members shall be for three (3) years.

B. Members may serve no more than two (2) full consecutive terms, unless otherwise approved by City. Termed-out members shall not be eligible to reapply to fill a vacancy for a period of one year.

C. Members appointed to fill a vacancy shall serve until the normal expiration of the terms of the vacant seat.

D. Members may resign upon written notice.

## **Section 108.     Vacancies in Office.**

Vacancies in the office of a member of the Committee shall occur upon such member's absence from three (3) regular meetings within a twelve month period other than adjourned regular meetings of the Committee, unless excused by the Committee, or upon the happening before the expiration of his or her term of office of any of the following events:

- (a)     Insanity of the member, when determined by a final judgment or final order of a court of competent jurisdiction.
- (b)     Resignation of the member.
- (c)     The member ceases to discharge the duties of his or her seat for a period of three (3) consecutive months except when prevented by sickness or when absent from the State upon City or Committee business or with the consent of the Committee.
- (d)     The member being convicted of a felony or of any offense involving a violation of his or her official duties.
- (e)     The refusal or neglect of the member to file his or her official oath or bond, if such is required by law, within the time prescribed by law.
- (f)     The decision of a competent tribunal declaring void the member's appointment.
- (g)     The making of an order vacating the member's seat or declaring his or her seat vacant when he or she fails to furnish an additional or supplemental bond if such is required by law.
- (h)     The commitment of the member to a hospital or sanitarium, by a court of competent jurisdiction, as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in such event the seat shall not be deemed vacant until the order of commitment has become final.
- (i)     Death of the member.

Chair may upon his/her discretion excuse absences if a member can certify that meeting minutes have been reviewed by audio recording.

## **Section 109.     Appointment Process.**

Vacancies in the office of a member of the Committee shall be filled in accordance with the following process:

- Candidates must submit an application to the Department of Parks, Recreation & Neighborhood Services for initial review and screening.
- Applications forwarded to the City Attorney for a Conflict of Interest review.
- Applicants will be asked to appear for an interview.
- Following interviews a list of qualified applicants will be recommended to the City Manager's Office.
- The list will be forwarded to the Rules Committee, then the City Council for appointment.

**Section 110. Minimum Qualifications of Members**

The following minimum qualifications must be considered when appointing Committee members:

- (a) Must reside or work in San Jose;
- (b) Must demonstrate knowledge of issues in San Jose and experience in addressing community issues; and
- (c) Must communicate effectively, both verbally and in writing.

**Section 111. Desired Qualifications of Members**

The following qualifications are desired attributes:

- (a) Background in social services, health services, or community services;
- (b) Connection to community/community partnerships;
- (c) Knowledge of financial reports and ability to analyze them;
- (d) Advocate for children or senior services; and

(e) Willingness to actively participate in public meetings related to public policy, and be available up to 4 hours a month to attend related meetings, such as but not limited to ad-hoc subcommittee meetings, conferences, or stakeholder and community meetings.

## **ARTICLE II** **OFFICERS**

### **Section 200. Enumeration of Officers.**

The officers of the Committee shall be a Chair and a Vice-Chair.

### **Section 201. Election of Officers.**

The Chair shall be appointed by the Mayor of San Jose from one of the two San Jose Council Members appointed by the Mayor of San Jose. The Vice-Chair of the Committee shall be elected by the members of the Committee.

### **Section 202. Term of Office of Chair and Vice-Chair.**

The term of office of the Chair of the Committee shall be three (3) years from the first day of January to the last day of the third December. The term of office of the Vice-Chair of the Committee shall be one-year, from the first day of January to the last day of December.

The office of Vice-Chair shall be voted upon annually by the Committee prior to the expiration of the incumbents' term. In the event of a vacancy or removal of the Vice-Chair prior to the expiration of the term of office, the successor shall be elected for the unexpired period of the term for which the preceding Vice-Chair had been designated.

### **Section 203. Qualifications of Chair.**

The Chair of the Committee shall be a San Jose Council Member.

### **Section 204. Powers and Duties of Chair.**

The Chair shall have the following powers and duties:

- (a) Preside at all meetings of the Committee, and at all hearings conducted by the Committee.
- (b) Perform such other duties as may be required either by the City Council or by resolution or order of the Committee.

- (c) The Chair, on a triennial basis beginning in 2012, shall conduct a review of the HNVF Policies. The Chair may make any recommendation for amendments or changes to HNVF Policies as deemed appropriate and necessary.

**Section 205. Qualifications of Vice-Chair.**

The Vice-Chair of the Committee shall be one of the members of the Committee.

**Section 206. Powers and Duties of Vice-Chair.**

The Vice-Chair shall have the following powers and duties:

- (a) All powers and duties of the Chair in the event of the absence or disability of the Chair.
- (b) Perform such other duties as may be required either by the City Council or by resolution or order of the Committee.

**Section 207. Chair Pro Tempore.**

In the event of the absence or disability of the Chair and Vice-Chair, at any meeting or hearing of the Committee, the Committee shall elect one of its members as Chair Pro Tempore to preside over such meeting or hearing.

**ARTICLE III**  
**MEETINGS**

**Section 300. Regular Meetings.**

Regular meetings of the Committee shall be held bimonthly without official notice at 4:30 p.m. on the third Thursday of the month. If the scheduled time for a regular meeting should fall on a City holiday, the regular meeting shall take place on the next succeeding business day; provided, that the Committee may, at a preceding regular meeting, specify some other time and date. Notice of meetings shall be posted at least seven (7) calendar days before each regular meeting in a location that is freely accessible to members of the public.

**Section 301.    Special Meetings.**

Special meetings of the Committee may be called at any time by the Chair, or by a majority of Committee members, whenever in their opinion the business of the Committee requires it. For example, the Committee may call a special meeting to address an emerging need or emergency, or at the request of the Action Committee (Section 402). The notice of a special meeting shall specify the time, place, and the business to be conducted or transacted at the meeting. No other business shall be considered at the special meeting. The notice shall be filed with the HNVF Office at the address specified in Section 101 above. The HNVF Office shall cause a copy of the notice to be served upon each member of the Board at least twenty-four (24) hours before the time of the meeting specified in the notice either by personal delivery, by U.S. mail, or by e-mail. Each member shall, for mailing purposes, file his or her name and address with the HNVF Office.

The written notice shall be posted at least four (4) calendar days prior to the special meeting in a location that is freely accessible to members of the public.

Special meetings may not be noticed on the same day as a previously scheduled regular meeting that was not noticed in compliance with the Sunshine Reform policies, if the special meeting is called to consider any of the items that were included in the notice for such regular meeting.

**Section 302.    Quorum.**

A quorum to do business shall consist of four (4) members seated on the Committee, filled or unfilled, but a lesser number may constitute a quorum for the purpose of adjourning a meeting or adjourning a meeting to a stated time.

**Section 303.    Procedure.**

Except as otherwise provided by the Committee, the procedure to be followed by the Committee at its meetings shall be that set forth in Robert's Rules of Order. The Committee may act by resolution or motion, but an affirmative vote of at least four (4) members shall be necessary for all decisions of the Committee except that an affirmative vote of a majority of those members in attendance shall be necessary in matters of a routine administrative nature and in matters of adjournment. Matters of a routine administrative nature do not include amendment of these Rules of Order, adoption of Committee policies, or matters requiring the expenditure or disbursement of funds.

**Section 304. Ayes and Noes.**

All voting by Committee members shall be by “ayes” and “noes”, and shall be entered by Staff in the record of the Committee proceedings. Upon request of any member of the Committee, a roll call vote shall be taken on any matter upon which a vote is called, and shall be recorded by Staff in the record of the Committee’s proceedings.

**Section 305. Order of Business.**

At Committee meetings, the regular order of business shall be conducted in accordance with the agenda prepared for the meeting. The Committee may modify or rearrange the order of the items or matters listed on each meeting’s agenda at any meeting. The Committee may, from time to time, adopt by minute order a new or revised agenda and order of business with such agenda topics or headings listed in such order as is consistent with the Brown Act (California Government Code § 54950 *et seq.*) and as may be convenient or desirable for the conduct of Committee business.

The Committee may take action on items of business not appearing on the posted agenda under any of the following conditions:

- (a) Upon a determination by a majority vote of the policy body that an emergency situation exists. An emergency situation is either (a) a work stoppage, crippling activity or other activity that severely impairs public health, safety or both; or (b) a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Committee to provide one-hour notice before holding an emergency meeting under this section could endanger the public health, safety or both.
- (b) Upon a good faith, reasonable determination by a two-thirds vote of the Committee, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that (a) the need to take immediate action on the item is so imperative as to threaten serious injury to the public interest if action were deferred to a subsequent special or regular meeting, or that the item is a purely commendatory action, and (b) that the need for such action came to the attention of the body subsequent to the agenda being posted.
- (c) The item was on an agenda posted pursuant to this chapter for a prior meeting of the body occurring not more than ten calendar days prior to the date action is taken on the item and at the prior meeting the item was continued to the meeting at which action is being taken.



**Section 306. Matters for Agenda.**

City Staff, under the direction of the Chair, will determine matters for the agenda. Committee members may request agenda items be considered.

Notification of matters to be presented to the Committee by the public shall be in writing and delivered to the Staff at least seven (7) calendar days in advance of the Committee meeting. Agendas shall be posted at least seven (7) calendar days before each regular meeting in a location that is freely accessible to members of the public. Staff shall cause the agenda to be posted.

Items may be listed on the agenda for a time certain. Such listing shall mean that the item shall be heard as soon as reasonably possible after the specified time.

**Section 307. Public Discussion on Agendized Items.**

Upon calling the meeting to order and before any motion is adopted relating to the merits of the matter to be heard, the Chair shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter. Upon being recognized by the Chair, such person may speak or present evidence relevant to the matter being heard.

No person shall be denied the right to speak because he or she declines to disclose his or her name, address or telephone number. However, no person shall be permitted to speak or present evidence until he or she is recognized by the Chair and given permission by the Chair to present evidence or to speak. Members of the Committee who wish to ask questions of the people or of each other, or who wish to discuss the subject matter of the hearing during the course of the hearing, may do so, but only after being recognized by the Chair.

Time limits for oral petition shall be two (2) minutes for an individual and five (5) minutes for a group. However, the Chair, in his or her discretion, may extend such time as he or she may find reasonable under the circumstances or may further limit the time if the time anticipated to complete the agenda is unusually long.

**Section 308. Matters Not On Agenda.**

If a person or group of persons wishes to present to the Committee at a Committee meeting a written or oral petition or communication which has not been placed on the Committee agenda pursuant to Section 306 above, such will be permitted at the time the Committee takes up "Public Comment", as shown on the agenda. Any person or group of persons

desiring to speak to the Committee respecting the subject matter of such petition or communication will be permitted to do so personally or through authorized representatives. No person shall be permitted to speak unless he or she is recognized by the Chair and given permission by the Chair to speak. No person shall be denied the right to speak because he or she declines to disclose his or her name, address or telephone number

Time limits for oral petition shall be two (2) minutes for an individual and five (5) minutes for a group. However, the Chair, in his or her discretion, may extend such time as he or she may find reasonable under the circumstances or may further limit the time if the time anticipated to complete to agenda is unusually long.

#### **ARTICLE IV** **SUBCOMMITTEES**

##### **Section 401. Ad Hoc Subcommittees.**

The Chair of the Committee shall have the power, with the approval of the Committee, to appoint such ad hoc subcommittees as are necessary for the purpose of furthering the objectives of the Committee, or to address an emerging need or emergency.

##### **Section 402. Healthy Neighborhoods Action Committee(s)**

The Action Committee(s) shall consist of Healthy Neighborhoods Venture Fund Grantees and other community members as necessary to facilitate the implementation of the Healthy Neighborhoods Strategic Work Plan.

Regular meetings of the Action Committee(s) shall be held quarterly without official notice at 9:00 a.m. on the first Thursday of the month. Notice of meetings shall be posted at least seventy-two (72) hours before each regular meeting in a location that is freely accessible to members of the public.